

AMENDED IN SENATE APRIL 26, 2004

AMENDED IN SENATE APRIL 12, 2004

SENATE BILL

No. 1630

**Introduced by Senator Speier
(Coauthor: Senator Alpert)**

February 20, 2004

An act to *amend Section 35179.1 of, and to add Article 6.5* (commencing with Section 49030) to Chapter 6 of Part 27 of, the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 1630, as amended, Speier. Performance-enhancing dietary supplements.

Existing law sets forth the rights and responsibilities of pupils in public schools. Existing law further requires certain school employees to comply with various educational requirements.

~~The~~

~~This bill would declare the intent of the Legislature to require each school district, commencing in the 2006-07 school year, to test for steroid and performance-enhancing dietary supplement use by pupils participating in high school sports if funding is made that school district makes a determination that sufficient funding is available for that purpose.~~

This bill would require the State Department of Education, *in consultation with the State Department of Health Services and the California Interscholastic Federation*, to develop a list of performance-enhancing dietary supplements, as defined, ~~that would be prohibited from use by pupil athletes on or before January 1, 2006.~~ The

bill would prohibit a pupil from participating in high school sports *on and after July 1, 2006*, unless that pupil agrees not to use any of the prohibited substances identified by the department and the parent or guardian of that pupil signs a notification form regarding those restrictions. ~~By imposing additional duties on school districts, this bill would impose a state-mandated local program.~~ The bill would, *commencing on July 1, 2006*, prohibit schools from accepting sponsorships from manufacturers of those supplements and would prohibit certain school employees from selling, distributing, or promoting those supplements. *By imposing additional duties on school districts, this bill would impose a state-mandated local program.*

The bill would require each high school *sports coach, as defined*, to complete a coaching education program developed by his or her school district or by the California Interscholastic Federation that ~~includes a component on steroid and performance-enhancing dietary supplement use by adolescents~~ *meets specified training requirements*. The bill would ~~require each coach to complete that course on or before~~ *make that requirement operative on December 31, 2007*.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature to require each
- 2 school district, ~~commencing in the 2006-07 school year~~, to test for
- 3 steroid and *harmful* performance-enhancing dietary supplement
- 4 use by pupils participating in high school sports if funding is made
- 5 available for that purpose.

SEC. 2. *Section 35179.1 of the Education Code is amended to read:*

35179.1. (a) This section shall be known and may be cited as the 1998 California High School Coaching Education and Training Program.

(b) The Legislature finds and declares all of the following:

(1) The exploding demand in girls athletics, and an increase in the number of ~~students~~ *pupils* participating in both boys and girls athletics, are causing an increase in the number of coaches needed statewide.

(2) Well-trained coaches are vital to the success of ~~a student's~~ *the experience of a pupil* in sports and interscholastic athletic activities.

(3) Improvement in coaching is a primary need identified by hundreds of principals, superintendents, and school board members who participated in the development of a strategic plan for the California Interscholastic Federation (CIF) in 1993 and 1994.

(4) There are many concerns about safety, training, organization, philosophy, communications, and general management in coaching that need to be addressed.

(5) It is a conservative estimate that at least 25,000 coaches annually need training and an orientation just to meet current coaching regulations contained in Title 5 of the California Code of Regulations, including basic safety and CPR requirements.

(6) School districts, in conjunction with the California Interscholastic Federation, have taken the initial first steps toward building a statewide coaching education program by assembling a faculty of statewide trainers composed of school district administrators, coaches, and athletic directors using a national program being used in several states.

(c) It is, therefore, the intent of the Legislature to establish a California High School Coaching Education and Training Program. It is the intent of the Legislature that the program be administered by local school districts and emphasize the following components:

(1) Development of coaching philosophies consistent with school, school district, and school board goals.

(2) Sport psychology: emphasizing communication, reinforcement of *the efforts of young people's efforts people,*

1 effective delivery of coaching regarding technique and motivation
2 of the ~~student~~ *pupil* athlete.

3 (3) Sport pedagogy: how young athletes learn, and how to teach
4 sport skills.

5 (4) Sport physiology: principles of training, fitness for sport,
6 development of a training program, ~~and~~ nutrition for athletes, *and*
7 *the harmful effects associated with the use of steroids and*
8 *performance-enhancing dietary supplements by adolescents.*

9 (5) Sport management: team management, risk management,
10 and working within the context of an entire school program.

11 (6) Training: certification in CPR and first aid.

12 (7) Knowledge of, and adherence to, statewide rules and
13 regulations, as well as school regulations including, but not
14 necessarily limited to, eligibility, gender equity and
15 discrimination.

16 (8) Sound planning and goal setting.

17 (d) This section ~~shall not be construed as an endorsement of any~~
18 *does not endorse a* particular coaching education or training
19 program.

20 SEC. 3. Article 6.5 (commencing with Section 49030) is
21 added to Chapter 6 of Part 27 of the Education Code, to read:

22
23 Article 6.5. Prohibition of Performance-Enhancing Dietary
24 Supplements
25

26 49030. For the purposes of this article,
27 “performance-enhancing dietary supplement” means a dietary
28 supplement that purports to enhance physical performance or
29 development above levels that would be anticipated under normal
30 conditions *and is identified in the list developed by the State*
31 *Department of Education pursuant to subdivision (a) of Section*
32 *49032.*

33 49031. (a) A teacher, athletic director, sports coach, or other
34 school official *or employee* may not sell, distribute, or promote a
35 performance-enhancing dietary supplement.

36 (b) A school may not accept a sponsorship from a
37 performance-enhancing dietary supplement manufacturer.

38 (c) *This section shall become operative on July 1, 2006.*

39 49032. (a) The State Department of Education, *in*
40 *consultation with the State Department of Health Services and the*

California Interscholastic Federation, shall develop a list of performance-enhancing dietary supplements for the purposes of this article. The list shall be developed on or before January 1, 2006, and may be amended by the department at any time. The department shall notify each school district of any additions or deletions to the list. A school district shall comply with the amendment within 15 days of receiving that notification.

(b) ~~Effective July 1, 2006,~~ a pupil may not participate in high school sports unless that pupil agrees not to use any of the supplements identified by the department pursuant to subdivision (a) and the parent or guardian of that pupil signs a notification form regarding those restrictions.

49033. (a) ~~On or before Effective December 31, 2007,~~ each high school coach shall complete sports coach shall have completed a coaching education program developed by his or her school district or the California Interscholastic Federation that includes a component on the use of performance-enhancing dietary supplements and steroids by adolescents. meets the guidelines set forth in Section 35179.1.

(b) Upon completion of the program, a high school sports coach shall be deemed to have completed the education requirement for the remainder of his or her time coaching at the high school level in any school district in the state.

(c) Each high school sports coach shall be responsible for the costs of taking the course.

~~SEC. 3.—~~

(d) It is the intent of this section that all high school sports coaches satisfy the requirements of subdivision (a). If the existing coach is unavailable to lead his or her team, a substitute coach who does not meet the requirements of subdivision (a) may be used on a limited basis.

(e) For the purposes of this section, “high school sports coach” means an employee or a volunteer who is authorized by a high school to be responsible for leading a school sports team of pupil athletes.

49034. (a) The State Department of Education, in consultation with the State Department of Health Services, shall develop a methodology for testing procedures that would most effectively screen high school pupils for the presence of steroids and dietary supplements pursuant to subdivision (a) of Section

1 49032. *The department shall notify each school district of the final*
2 *methodology.*

3 (b) *A school district shall administer tests pursuant to the*
4 *guidelines established pursuant to subdivision (a) upon a*
5 *determination by that school district that sufficient funds are*
6 *available to conduct those tests.*

7 SEC. 4. Notwithstanding Section 17610 of the Government
8 Code, if the Commission on State Mandates determines that this
9 act contains costs mandated by the state, reimbursement to local
10 agencies and school districts for those costs shall be made pursuant
11 to Part 7 (commencing with Section 17500) of Division 4 of Title
12 2 of the Government Code. If the statewide cost of the claim for
13 reimbursement does not exceed one million dollars (\$1,000,000),
14 reimbursement shall be made from the State Mandates Claims
15 Fund.

